

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 20, 2018

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: William Nathaniel Luke Case Number: 0980 1:15CR02009-SAB-1
Address of Offender: [REDACTED] Yakima, Washington 98901
Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, U.S. District Judge
Date of Original Sentence: May 31, 2016
Original Offense: Felon in Possession of Firearm, 18 U.S.C. § 922(g)(1)
Original Sentence: Prison - 28 months; Type of Supervision: Supervised Release
 TSR - 36 months
Asst. U.S. Attorney: Ian Garriques Date Supervision Commenced: June 19, 2018
Defense Attorney: Federal Defenders Office Date Supervision Expires: June 18, 2021

PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 11/01/2018.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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5	<u>Special Condition #18:</u> You must abstain from the use of illegal substance, and must submit to urinalysis testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.
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Supporting Evidence: Mr. Luke failed to report to Merit Resource Services for random urinalysis testing on November 14, 2018.

On June 20, 2018, supervised release conditions were reviewed and signed by Mr. Luke acknowledging his understanding of special condition number 18, which requires him to submit to random drug testing. Mr. Luke also signed the Eastern District of Washington substance abuse testing instructions.

Mr. Luke was referred to Merit Resource Services (Merit) for drug and alcohol testing using the color line. Mr. Luke is required to test at least three times per month using this system. Mr. Luke failed to report to Merit for a random drug test on November 14, 2018.

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- 6 **Standard Condition #6:** The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.

Supporting Evidence: Mr. Luke is alleged to have failed to report a change in his employment status after being terminated on November 15, 2018.

On June 20, 2018, supervised release conditions were reviewed and signed by Mr. Luke acknowledging his understanding of standard condition number 6, which requires him to notify his probation officer of any change in employment.

Mr. Luke was employed at Old County Buffet as a dishwasher. On November 19, 2018, this officer spoke with the Manager at Old County Buffet, who reported that Mr. Luke's employment was terminated on November 15, 2018, due to failing to show up for work. Mr. Luke reported to the probation office on November 16, 2018, and had the opportunity to report his employment status change but failed to do so.

- 7 **Special Condition #17:** You must abstain from alcohol and must submit to urinalysis and Breathalyzer testing as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Mr. Luke is alleged to have consumed alcohol on November 15, 2018.

On June 20, 2018, supervised release conditions were reviewed and signed by Mr. Luke acknowledging his understanding of special condition number 17, which prohibits him from consuming alcohol.

On November 16, 2018, Mr. Luke reported to the probation office and admitted to having consumed alcohol. Mr. Luke signed an admission/denial of drug use form admitting to having consumed alcohol on November 15, 2018.

The U.S. Probation Office respectfully recommends the Court to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 19, 2018

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

November 20, 2019

Date